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JRB
TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

ROBYN LITTLE DAVIS

v.

JAMES ROGERS

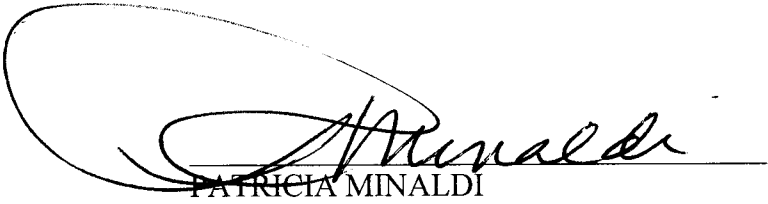
* CIVIL ACTION NO. 2:15 -CV-562
* SECTION P
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* JUDGE MINALDI
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* MAGISTRATE JUDGE KAY
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ORDER

Before the court is the petitioner's application for a Certificate of Appealability (Rec. Doc. 42) to appeal the Judgment Adopting the Magistrate Judge's Report and Recommendation (Rec. Doc. 39). The court does not find "that reasonable jurists could debate whether (or, for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented [are] adequate to deserve encouragement to proceed further." *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotations and citation omitted). Accordingly,

IT IS ORDERED that the Certificate of Appealability (Rec. Doc. 42) is **DENIED** under 28 U.S.C. § 2253 because the petitioner has not made "a substantial showing of the denial of a constitutional right."

Lake Charles, Louisiana, this 7 day of Nov, 2016.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE